

## Judge Roberts on Sunday Closing Law

There is another law in New Mexico which I am required to call to your attention especially, and that is the Sunday law. The legislature has made it a misdemeanor for people to engage in certain vocations on Sunday and has prohibited all sports which interfere with religious worship.

I would not have you understand that this law applies to all work and business of every kind, for it does not; the legislature has excepted from the inhibitions of the statute all works of necessity, charity and mercy. By the word necessity, the legislature intended to and did exempt from the operation of the law such business as was reasonably necessary for the comfort, convenience, enjoyment and well being of man, which could be carried on without interfering with religious worship or the disturbance of society.

The legislature did not intend to give to New Mexico a Puritanical Sabbath, and such business as drug stores, confectioneries, news stands, livery stables, garages are not included within the provisions of the act, provided of course, that their business is carried on so as not to interfere with religious worship and the peace and good order of the community. Of course if a druggist should sell intoxicating liquor on Sunday he would be indictable. Likewise places of clean wholesome amusement, which are instructive in their character, are not included, neither are butchers and bakers, nor farmers, when their labors are required to irrigate their crops or remove same.

The law, in my judgment does not apply to baseball, so long as the sport is properly conducted, and does not result in the disturbance of a worshipping assembly, or interfere with religious worship. We must face conditions as they exist, and earnestly try to do the very best we can for the community in which we live. In order for our Sunday law to have any effect for good we must give to it a reasonable construction, and apply to it good common sense.

The supreme court of the territory has rightly held that the Sunday law prohibits the sale of intoxicating liquor on that day, so in New Mexico, as it is in every state in the union, it is unlawful to sell intoxicating liquor on Sunday. We can readily understand why the legislature intended to prohibit the sale of liquor on Sunday. It is, and has been, the general policy of the whole nation. Sunday is a day of rest and recreation; there is a general relaxation from all business pursuits on this day. Were it not for the closing law, applying to saloons, many men would naturally visit them and some of them would spend all their wages earned during the preceding six days and will become intoxicated, go out on the streets and disturb men, women and children. We all know the harmful effects of intoxicating liquors. It causes a drain on society, and every state recognizes this, by either prohibiting the traffic entirely, or licensing it, and placing around it severe restrictions. The interest of society demands that such places should not be open on a day of rest, when men are idle.

Pool halls also come within the prohibition of the Sunday law. Unfortunately this sport has been allowed to degenerate by the proprietors of most such places, until it has come to be a menace to society. Within the past month, the authorities of the city of Denver have announced that all pool halls in that city are to be closed permanently. That they were ruining more young men and boys than the saloon. In most of the pool halls they have been carrying on illicit gambling, and their rooms have been filled with slot machines in violation of law. Unlike the saloon, our boys can enter the pool hall without restraint, regardless of their ages, and as such places have been conducted, it is here that he gets his first lesson in vice. We can close them one day.

## Capital Hidalgo State, Pillaged

Mexico City, May 16.—Rioting and pillage occurred at Pachuca during the early hours of today, following the surrender of the city to the revolutionists. The rebels became drunk and defied their commanders. The townspeople deserted their homes and remained concealed. The banks were dynamited and looted.

Pachuca is a mining city of 40,000 population, capital of Hidalgo, and situated sixty miles northeast of Mexico City. Sunday night it fell into the hands of the revolutionists under Colonel Castrejon. The capturing was done without fighting, the invaders swarming into the city from surrounding hillsides. When the government authorities had been replaced by those of the revolutionists, order gave way to license.

During last night many of the rebels helped themselves liberally to the saloon supply and the half-crazed men were soon out of hand. The orders of their commanders were defied. The rioters ran the streets shouting and shooting promiscuously. The peaceful inhabitants were terror-stricken and hid themselves in their homes.

Battering down the doors and places of business, the lawlessness then took form of robbery. Charges of dynamite were placed under the walls of the banks and exploded. Wherever entrance was effected, the banks were looted.

Commercial houses were robbed of such of their stocks as the mob wished to carry away. Doors of the jails were battered down and the prisoners released. Much of the subsequent lawlessness was attributed to the convicts.

Late advices today state that order has been restored by eight hundred rebels under command of Colonel Gabriel Hernandez. Three hundred federals were sent to the scene on special trains.

The federal troops which were being rushed to Pachuca, turned back this afternoon on orders from Mexico City. The rebels have imprisoned Governor Rodriguez and named Joaquin Gonzales provisional governor. The rebels in their efforts to restore order, killed forty rioters.

## Flag Day Occurs On 14th of June

Wednesday, June 14, will be the anniversary of the adoption of the stars and stripes as the flag of America. The day is known as "Flag Day." The Association urges that this day be appropriately observed with the displaying of national colors on public buildings. The officers have sent out circulars asking that the schools especially take note of the occasion and hold exercises in keeping. A military salute to the colors for school pupils is requested upon that day.

The anniversary recalls the story of the flag, of how after several symbols were used by the American patriots, Betsy Ross made the flag after which the present flag is patterned.

The red stripes are said to represent the blood of the fighters for liberty; the white purity; the blue field, the sky, each star, a state. The number of stars in the original flag were thirteen, to represent the original thirteen colonies. Later congress passed a law by which a star could be added for each new state, but that the number of stripes should remain thirteen.

The president of the American Flag association is Ralph E. Prime of Yonkers, N. Y. The secretary is Theodore Fitch of New York City.

In the week under the present law, and it is our duty to do the very best we can toward their suppression. If you find they have been keeping open on Sunday, indict them.

## Successful School Term Closed Friday

Friday, May 10, the Cimarron school closed for the summer. To celebrate the event the teachers and pupils held a picnic in the Cimarron canon, and agreed that the celebration was worthy of the occasion.

The past year, 1910-11, has, in spite of certain disadvantages, been on the whole one of the most satisfactory years in the history of the schools of Cimarron. The force of teachers, themselves thoroughly capable and skilled in the art and science of teaching, were entirely in harmony with each other; a prime requisite to the successful conduct of a school.

The School Board has not as yet determined upon the teachers for the next term of school. The exceptional skill and patience of Miss Curtis, the primary grade teacher, make it practically certain, so we learn from the Board, that she will be retained for her fourth year in the Cimarron schools, and the scholarship of Miss Lodge and Miss Nutter make their retention a strong probability; in fact we do not believe that better teachers for their respective grades can be secured. As to the principal, Mr. Webb, while he has given the school the most satisfactory administration, still there is dissatisfaction in some quarters because of his lack of years; and while some fail to see the force of this argument in the face of his successful record, it is probable that the Board will select some older man to fill the place for next term.

The courses in the various grades have been thoroughly taught and closely adhered to as laid down by the Department of Education at Santa Fe. The course of study for all the grades, from the first to the eighth, is very minutely planned by the Department heads, and the eighth is examined by the Department to ascertain whether the work has been thoroughly covered or not. Since the course of study has been in the hands of the teachers something less than two years, there is necessarily some confusion in the work accomplished and the Territorial requirements are not as yet very well met; but this difficulty will vanish as time goes on. The Territorial examinations are purely optional, however, and are in no sense binding on the candidates. As they are often careless and do not adhere closely to the books prescribed, they are rather widely unsatisfactory. This objection also will vanish in time.

In the high school department several important innovations were made by Prof. Webb. The high school department of the Cimarron school embraces two years, the ninth and tenth—more than is found in any school in the county outside Raton. Prof. Webb has even planned to introduce some eleventh grade work next year in case he is retained, and claims he can do so without detracting any from the time of the other recitations. Already he has been able, by combining classes and introducing as far as practicable the modern credit system, to lengthen the time of recitation considerable, and thus cover vastly more space in these two grades than would be possible otherwise. He expressed himself as being very well pleased with the work done by these grades, which compares more than favorably with that covered in former years; and seemed disappointed that he would probably not have the opportunity to establish his ideas more firmly by another year's work. The studies of the ninth and tenth grades, are almost wholly in the hands of the principal, and it is to be hoped that, if Prof. Webb is not retained next year, his successor may follow the same successful lines.

The whole of Colfax county was blessed with a fine rain last Sunday. If ever prospects were bright for big crops they are right now, and this year promises to be one of the biggest crop raising years in the history of the county. With plenty of show in the mountains that will furnish plenty of water for the irrigating of thousands of acres, and the ranges in fine condition everyone throughout the county is taking advantage of the opportunity to keep the "Kingdom of Colfax" in the lead in agriculture and stock raising.

## Farmers Buying Machinery

The implement houses in Cimarron are selling a large stock of machinery to farmers. The farmers are all in fine spirits over the prospects for a good crop this year and are making every effort toward raising the finest crops ever grown.

## Memorial Day Proclamation Issued

Santa Fe, N. M., May 15.—Governor William J. Mills today issued a Memorial day proclamation, in which he urges the observance of May 30 in honor of the nation's heroic dead. The governor's proclamation reads:

"The 30th of May is again drawing near. This is the day which has been adopted by the states, territories and dependencies of the United States as a day on which a tribute should be paid to the memory of the soldiers and sailors of the republic who lost their lives in the defense of their country and in upholding the honor and glory of the Stars and Stripes. Without those brave men who gave up their lives upon many a bloody field of battle, and in many a fight a sea, the union would not be what it is today, the most powerful nation in the world, and the one government which seeks to do what is right and for the best interests of humanity at large. We should call to mind our brave departed soldiers and sailors. Their heroic and patriotic conduct should ever be an inspiration to us, and inspire us to guard carefully and preserve intact the glorious heritage of a free government which our fathers gave to us.

"Now, therefore, I, William J. Mills, governor of the territory of New Mexico, do hereby designate and set apart Tuesday, May 30, 1911, as Memorial day, and do hereby request that on said day business of a secular nature be suspended as far as possible, within the territory of New Mexico, and that the people generally join with the patriotic associations in strewing flowers upon the mounds which mark the mouldering remains of our dead heroes, and in paying a tribute of respect to their memories.

"And I further request that in our schools patriotic exercises be held, so that love of country may be impressed upon the hearts and minds of the pupils, and they be taught that it is a duty which they owe to lay down their lives if necessary in the defense of the flag."

## Free Wool is Not So Popular

Washington, D. C., May 15.—Democratic members of the ways and means committee of the house today began drafting the revised tariff schedule on wool which will be submitted to the democratic caucus for ratification probably within a week.

Advocates for free raw wool were not as confident today as heretofore, that the revised schedule would place the raw material on the free list. Extraordinary pressure has been brought to bear by conservative leaders to secure unanimous approval of a compromise bill, and those leaders insist that such a bill would meet with caucus approval.

Such a bill might provide a tariff of about five or six cents a pound on the raw product which eventually would go on the free list, and a cut of forty to fifty per cent in manufactured woolen goods.

## Fine General Rains

The whole of Colfax county was blessed with a fine rain last Sunday. If ever prospects were bright for big crops they are right now, and this year promises to be one of the biggest crop raising years in the history of the county. With plenty of show in the mountains that will furnish plenty of water for the irrigating of thousands of acres, and the ranges in fine condition everyone throughout the county is taking advantage of the opportunity to keep the "Kingdom of Colfax" in the lead in agriculture and stock raising.

## Diaz Definitely Resigns Office of President

Mexico City, May 17.—Porfirio Diaz, president of Mexico and the dictator of the republic, which he has ruled with an iron hand, definitely set the time for his resignation from office this afternoon at a meeting of his cabinet, when he declared that he would retire before the end of the present month.

This is taken to mean that peace will be restored in Mexico within a few days. The cabinet spent several hours in earnest consideration of the demands of the insurgents.

Mexico City, May 17.—Foreign Minister De La Barra declares that peace negotiations between the government and rebels doubtless will reach a definite and favorable result at today's cabinet meeting.

Finance Minister Limantour was not quite so sanguine as his colleague in the ministry this morning. He said the government had the greatest desire to conclude a peace agreement, but "among the demands of the rebels are some contrary to the dignity of the government and of the president."

Nevertheless, Senor Limantour believed that peace would be arranged.

Should the present negotiations fail it is regarded as not unlikely that the city will be cut off soon from the outside world. With the occupation of Valles yesterday the rebels now control the railway into and out of San Luis Potosi to the north as far as Saltillo in Coahuila, east to Tampico in southeast Tamaulipas, and west to Agua Calientes. However, no effort has so far been made to interfere with traffic on these lines.

Juarez, Mexico, May 17.—In response to a request from the Mexican government, Provisional President Madero and his cabinet gathered at 11 o'clock today to formulate a final peace agreement to be submitted by telegram by Judge Carbajal today to President Diaz and his cabinet.

There is practically a mutual acceptance now of the principal points, but it has been decided to have the rebels submit their program in full for blanket ratification by the government.

The ratification will be coincident with the announcement of an armistice. The signing in Juarez of the armistice itself in a few days by Carbajal and the insurrecto representative will end the armistice and a normal condition of peace will be recognized as existing.

The insurrecto chiefs here will telegraph or send couriers to their constituencies in various parts of the republic, and it is believed that within a week all arms will have been laid down in the republic. It is not believed that an answer to the proposals of the insurrectos, which will be completed late this afternoon, will be received before tomorrow, as it is reported here that Diaz is slightly ill and may not be able to confer with his cabinet until tomorrow.

## Prominent Pecos Man Is Dead

Cerrillos, N. M., May 16.—Atanacio Rovibal died at his home in Pecos, San Miguel county today of Bright's disease at the age of sixty years. His death came quite suddenly, after a short illness. Mr. Rovibal has been a prominent figure in San Miguel county politics for many years, and has considerable land holdings. He was much respected by many men in the county and throughout the state, and his loss will be deeply felt by a host of friends. The last office that he held was as representative for his district in the constitutional convention, where his sane and constructive ideas held the respect and attention of the statesmen of that body.

It is safe to say that the lumber trust considers direct election of senators a slam at popular government.

## Colorado Elk Shipped to New Mexico

Thomas P. Gable, game and fish commissioner for New Mexico, has purchased thirteen fine specimens of elk from Mr. S. M. Dawson of Hayden, Routt county, Colorado, and shipped them to New Mexico to be turned loose on the range. The elk were reared on the Dawson ranch and are all fine, large specimens, between three and five years of age—except one, a baby elk.

These elk were raised up in domesticity and ran with the cattle in the big Dawson pastures. Mr. Dawson and his men rounded up the elk and a few milch cows and drove the whole bunch to the railroad, as they would a bunch of cattle. They were driven into the stock pens and through the cattle chute into the stock cars. They were no harder to manage than an ordinary bunch of steers.

One bull and three cows will be unloaded at Raton and drove to Red River Canyon and left to range in that vicinity. Three more cows and a bull will be unloaded at Cimarron and left to range in the Cimarron canyon. The remainder will be located in Hot Springs canyon, near Las Vegas.

Mr. Dawson, on whose ranch the elk were reared, was formerly a citizen of Cimarron coming here when the town was wild and woolly and making this his home for many years. He is as much interested in and doing as much for the preservation of the elk as "Buffalo" Jones is doing for the buffalo.

The Rayado Colonization Co., with headquarters at Denver, who recently purchased the Rayado ranch, nine miles south of Cimarron, consisting of about 30,000 acres, has cut the great ranch into small tracts and is putting them on the market. This is one of the large ranches in Colfax county that is giving way before the man who would rather raise apples than cattle.

## To See If it's Fireproof

Wilmington Del., May 16.—In an effort to decide whether the big 2-million dollar office building at the DePont powder company is really fireproof, the company will start fires with inflammable material in several rooms. The date has not yet been fixed.

## John F. Deitz Convicted Of Murder

Hayward, Wis., May 13.—John F. Deitz will spend the rest of his natural life at hard labor in the state penitentiary at Waupun, by the verdict of a jury returned today, which found him guilty of the murder of Deputy Sheriff Oscar Harp in the battle of Cameron dam on October 8, last, Hattie F. Deitz, his wife, and Leslie Deitz, his son, were found not guilty.

The smile which the "Old Man" has always faced conditions, did not desert him as the judge read the verdict. A frown overspread the face of Mrs. Deitz and she glared at the jury. Leslie smiled faintly and the color came and went in his face.

Asked by Judge Reid if he had anything to say before sentence was pronounced, Deitz launched a bitter tirade against what he termed the lumber trust and which he said he knew sooner or later, "because it is big and I am little, would kill me or put me out of the way." Deitz charged the trust with trying to ruin him and said the lumber companies had "got what they were after."

"I have done nothing wrong and the state has," continued Deitz. "It is the state that waylaid my children and took one away to jail and put a bullet through the other, a young girl."

The suggestion that Deitz, who conducted his own defense, get an attorney to draw up a motion in proper form for a new trial was ignored and Deitz himself made verbal motion to this effect, which was denied by the court.

Life imprisonment was then imposed upon him, but ten days were allowed to file exceptions.

## Statehood is Again Sidetracked by House

Washington, May 17.—Statehood was sidetracked in the house again today. This time it gave place to the Steel and Sugar trust investigation being pursued by that body. These matters will probably consume most of the time in the house today. Statehood may be taken up again tomorrow.

Much indignation has been aroused by some heated attacks on New Mexico and Arizona by influential papers in the east which declare that the admission of these territories will but augment greatly the political strength of the Mormons. These papers charge that both New Mexico and Arizona are dominated by Mormons and that they will control the new States. New Mexicans here are surprised at the seriousness of the attack and while the charges are laughable, it is feared they will more or less work to the injury of the two territories.

Minority Leader Mann will lead a determined fight against the Arizona and New Mexico statehood resolution. Mr. Mann will back up President Taft in his opposition to the recall of judges in any form and will also make an effort to amend the resolution by the elimination of New Mexico to vote again upon the provision of their constitution which relates to amendments.

Some of the insurgents will not support Mr. Mann and the Republican leaders in this stand. In fact, Representatives Wedemeyer of Michigan and Young of Kansas, made a third report on the pending resolution, in which they favored the admission of both territories, under the constitution as they now stand. The insurgents apparently are in favor of everything radical that is proposed, no matter whence it may lead.

Six Republicans on the territories committee, including Delegate Cameron of Arizona signed a report excluding Arizona from statehood unless the people eliminate the recall as applied to the judiciary. House republicans expect the senate to stand by them in this extreme position, which they believe is wholly justified.

After Arizona gets into the Union the people can adopt the recall of judges if they still feel that they want it," said Mr. Mann. "However, they are asking too much when they send to us for approval their constitution containing this provision."

"It will be noted that the democrats of the committee on territories do not approve the recall of judges in the Arizona constitution. As a matter of fact few of them favor it. Rather than say so openly, they have reported a resolution which if passed, relieves them from the necessity of either approving or disapproving it. Their resolution merely authorizes the president to issue a formal proclamation after the people shall have voted on the recall of judges in Arizona and the provision relating to amendments in New Mexico.

"So far as the New Mexico constitution is concerned, I believe the Republicans are a unit against the Democrats in attempting to force another vote on the amendment provision. As a matter of fact the constitution of New Mexico is more easily amended than that of Illinois. There is nothing in common between them. The constitution of half the states in the union are more difficult of amendment than that of New Mexico. Therefore the position of the position of the democrats on this matter must have been taken for mere political effect, it is impossible to believe them to be sincere. There is absolutely no good reason why New Mexico should be longer kept out of the union."

## President Nominates Secretary Of War

Washington, D. C., May 15.—President Taft today formally nominated to the senate Henry L. Stimson of New York to be secretary of war of the United States at New York.